

## § 29.3101

## 7 CFR Ch. I (1–1–06 Edition)

### ELEMENTS OF QUALITY

#### § 29.3101 Elements of quality and degrees of each element.

These standardized words or terms are used to describe tobacco quality and to assist in interpreting grade specifications. Tobacco attributes or characteristics which constitute quality are designated as elements of quality. The range within each element is

expressed by the use of words or terms designated as degrees. These several degrees are arranged to show their relative value, but the actual value of each degree varies with type, group, and grade. In each case the first and last degrees represent the full range for the element, and the intermediate degrees show gradual steps between them.

Elements			Degrees		
1 Body .....	Tissuey .....	Thin .....	Medium .....	Fleshy .....	Heavy.
2 Maturity .....	Mellow .....	Ripe .....	Mature .....	Underripe .....	Immature.
3 Leaf structure (porosity and solidity) ..	Porous .....	Open .....	Firm .....	Close .....	Solid.
4 Leaf surface (smoothness) ..	Smooth .....	Even .....	Wavy .....	Wrinkly .....	Rough.
5 Finish .....	Bright .....	Clear .....	Moderate .....	Dull .....	Dingy.
6 Color intensity .....	Deep .....	Strong .....	do .....	Weak .....	Pale.
7 Width .....	Broad .....	Spready .....	Normal .....	Narrow .....	Stringy.
8 Length .....	( <sup>1</sup> ) .....	( <sup>1</sup> ) .....	( <sup>1</sup> ) .....	( <sup>1</sup> ) .....	( <sup>1</sup> )
9 Uniformity .....	( <sup>2</sup> ) .....	( <sup>2</sup> ) .....	( <sup>2</sup> ) .....	( <sup>2</sup> ) .....	( <sup>2</sup> )
10 Injury tolerance .....	( <sup>2</sup> ) .....	( <sup>2</sup> ) .....	( <sup>2</sup> ) .....	( <sup>2</sup> ) .....	( <sup>2</sup> )

<sup>1</sup>Expressed in inches.

<sup>2</sup>Expressed in percentage.

### RULES

#### § 29.3103 Rules.

The application of these official standard grades shall be in accordance with the following rules.

##### § 29.3104 Rule 1.

Each grade shall be treated as a subdivision of a particular type. When the grade is stated in an inspection certificate, the type also shall be stated.

##### § 29.3105 Rule 2.

The determination of a grade shall be based upon a thorough examination of a lot of tobacco or of an official sample of the lot.

##### § 29.3106 Rule 3.

In drawing an official sample from a hogshead or other package of tobacco, three or more breaks shall be made at such points and in such manner as the inspector or sampler may find necessary to determine the kinds of tobacco and the percentage of each kind contained in the lot. One break shall be made not more than six inches from the top of the package and one not more than six inches from the bottom. All breaks shall be made so that the tobacco contained in the center of the

package is visible to the sampler. Tobacco shall be drawn from at least three breaks from which a representative sample shall be selected. The sample shall include tobacco of each different group, quality, color, length, and kind found in the lot in proportion to the quantities of each contained in the lot.

[24 FR 8771, Oct. 29, 1959, as amended at 49 FR 16758, Apr. 20, 1984]

##### § 29.3107 Rule 4.

The grade assigned to any lot of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot of tobacco does not comply with the specifications of the grade previously assigned, it shall not thereafter be represented as such grade.

##### § 29.3108 Rule 5.

A lot of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

##### § 29.3109 Rule 6.

Any lot of tobacco which meets the specifications of two grades shall be

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placed in the higher grade. Any lot of tobacco on the marginal line between two grades shall be placed in the lower grade.

### **§ 29.3110 Rule 7.**

A lot of tobacco meets the specifications of a grade when it is not lower in any degree of any element of quality than the minimum specifications of such grade.

### **§ 29.3111 Rule 8.**

In determining the grade of a lot of tobacco, the lot as a whole shall be considered. Minor irregularities which do not affect over one percent of the tobacco shall be overlooked.

### **§ 29.3112 Rule 9.**

Any special factor symbol, approved by the Director of the Tobacco Division of the Agricultural Marketing Service, may be used to show a peculiar side or characteristic of the tobacco which tends to modify the grade.

[24 FR 8771, Oct. 29, 1959, as amended at 49 FR 16758, Apr. 20, 1984]

### **§ 29.3113 Rule 10.**

Interpretations, the use of specifications, and the meaning of terms shall be in accordance with determinations or clarifications made by the Chief of the Standards Branch and approved by the Director.

### **§ 29.3114 Rule 11.**

The use of any grade may be restricted by the Director during any marketing season, when it is found that the grade is not needed or appears in insufficient volume to justify its use.

### **§ 29.3115 Rule 12.**

Any lot, except strip form, of Leaf (B Group) tobacco in which 20 percent or more of its leaves are under 16 inches in length shall be designated as Tips (T Group).

[49 FR 16758, Apr. 20, 1984]

### **§ 29.3116 Rule 13.**

Degrees of uniformity shall be expressed in terms of percentages. The percentages shall govern the portion of a lot which must meet the specifica-

tions of the grade. The minor portion must be closely related but may be of a different group, quality, and color from the major portion. These percentages shall not affect limitations established by other rules.

### **§ 29.3117 Rule 14.**

The application of injury as an element of quality shall be expressed in terms of a percentage of tolerance. The appraisal of injury shall be based upon the percentage of affected leaf surface or the degree of injury. In appraising injury, consideration shall be given to the normal characteristics of the group as related to injury.

### **§ 29.3118 Rule 15.**

Any lot of tobacco containing over 20 percent of variegated leaves shall be described as "variegated" and designated by the color symbol "K."

[51 FR 40407, Nov. 7, 1986]

### **§ 29.3119 Rule 16.**

Any lot of tobacco of B, C, or X groups which contains 30 percent or more of pink or pinkish leaves or contains 30 percent or more of a color distinctly different from the major color shall be classified as "mixed" and designated by the color symbol "M."

### **§ 29.3120 Rule 17.**

Any lot of tobacco containing 20 percent or more of greenish leaves, or any lot which contains 20 percent of greenish and green leaves combined, shall be designated by the color symbol "V" in the C group and the combination color symbols "VF" or "VR" in the B and T groups.

### **§ 29.3121 Rule 18.**

Any lot of tobacco containing 20 percent or more of green leaves, or any lot which is not crude but contains 20 percent or more of green and crude combined, shall be designated by the color symbol "G" in the X, C, and M groups and the combination color symbol "GF" and "GR" in the B and T groups.

[55 FR 40645, Oct. 4, 1990]

### **§ 29.3122 Rule 19.**

Crude leaves shall not be included in any grade of any color except green,